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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,995	08/21/2003	Jeong Hwan Choo	2950-0256P	7090
2292 7590 01/15/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER CHIO, TAT CHI	
			ART UNIT	PAPER NUMBER
			2621	
			NOTIFICATION DATE	DELIVERY MODE
			01/15/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/644,995		CHOO, JEONG HWAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Tat Chi Chio		2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 10/22/2007 have been fully considered but they are not persuasive.

The applicant argues that Heo fails to teach or suggest the features of generating a dummy video sync signal when there is no video signal included in the reproduced signal; and transmitting, to an output device, the dummy video sync signal along with the reproduced signal, the reproduced signal including an audio signal, but no video signal, and Okura fails to teach or suggest "transmitting, to an output device, the dummy video sync signal along with the reproduced signal, the reproduced signal including an audio signal, but no video signal".

In response, the examiner respectfully disagrees. The combination of Heo and Okura teach "generating a dummy video sync signal when there is no video signal included in the reproduced signal" as indicated in column 4 and lines 47-51 of Okura. Okura teaches that an internal synchronizing signal is generated by separating a synchronizing signal from a video signal when the video signal is input by the synchronizing signal generation circuit, and when no video signal is input, the synchronizing signal generation circuit outputs an internal synchronizing signal of a prescribed frequency (which is equivalent to a dummy video sync signal). The combination of Heo and Okura further teach "transmitting, to an output device, the dummy video sync signal along with the reproduced signal, the reproduced signal including an audio signal, but no video signal" as indicated in column 24 and lines 56-65

of Heo. Therefore, the combination of Heo and Okura teach "generating a dummy video sync signal when there is no video signal included in the reproduced signal" and "transmitting, to an output device, the dummy video sync signal along with the reproduced signal, the reproduced signal including an audio signal, but no video signal."

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 3, 4, 6, 8-14, 15-18, 20, and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heo (US 6,222,983 B1) in view of Okura (5,926,602).

**Consider claims 1 and 15,** Heo teaches a method for generating dummy video sync signals in a data recording medium player, the method comprising: reading out a signal recorded on a data recording medium and reproducing the read-out signal (312 of Fig. 29); transmitting, to an output device, the dummy video sync signal along with the reproduced signal, the reproduced signal including an audio signal, but no video signal (col. 24 and lines 56-65 and Fig. 31). However, Heo fails to explicitly teach generating a dummy video sync signal when there is no video signal included in the reproduced signal.

Okura teaches generating a dummy video sync signal when there is no video signal included in the reproduced signal (col. 4, lines 47-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate a dummy video sync signal when there is no video signal included in the reproduced signal to add a color burst signal to an output signal from the D/A conversion circuit in synchronization with the reference frequency signal.

**Consider claims 2 and 16,** Heo teaches the method, further comprising: if there are video and audio signals in the reproduced signal, transmitting the video and audio signals in the reproduced signal to the output device (Fig. 31).

**Consider claims 3 and 17,** Heo teaches the method, wherein the data recording medium is an optical disc (511 of Fig. 31 indicates that the recording medium is a DVD that is an optical disc).

**Consider claims 4 and 18,** Heo teaches the method, wherein the optical disc is an audio-only optical disc, whereby the dummy video sync signal is transmitted to the output device, along with an audio signal read/reproduced from the audio-only optical disc (517 of Fig. 31 indicates that the recording medium is an audio-only optical disc).

**Consider claims 6 and 20,** Heo teaches the method, wherein the audio-only optical disc is a DVD audio disc (Fig. 31).

**Consider claims 8 and 22,** Heo teaches the method, wherein the data recording medium player is an optical disc player, such that the reading out and reproducing steps are performed in the optical disc player (col. 4, lines 45-47).

**Consider claims 9 and 23,** Heo teaches the method, wherein the generating and transmitting steps are performed by the optical disc player (Fig. 29).

**Consider claims 10 and 24,** Heo and Okura fail to teach the method, wherein in the transmitting step, the output device is a television.

The examiner takes official notice that the output device is a television.  
Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to use a television as the output device since a television is a common output device in the art.

**Consider claims 11 and 25**, Heo teaches the method, further comprising: reading out navigation information stored on the data recording medium; and storing the read navigation information in a storage unit of the data recording medium player (411 of Fig. 30 and 513 of Fig. 31).

**Consider claims 12 and 26**, Heo teaches the method, further comprising: identifying a type of the data recording medium based on the navigation information, when a play operation is requested; and determining whether or not the data recording medium is an audio-only recording medium based on the identifying result (515 of Fig. 31).

**Consider claims 13 and 27**, Heo teaches The method, wherein the generating step includes: determining whether or not there is a video signal included in the reproduced signal even if the determining step determines that the data recording medium is an audio-only recording medium (col. 28, lines 31-37).

**Consider claims 14 and 28**, Heo teaches the method, wherein the generating step determines that there is no video signal included in the reproduced signal if the determining step determines that the data recording medium is an audio-only recording medium (Fig. 31).



3. Claims 5 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heo (US 6,222,983 B1) in view of Okura (5,926,602) as applied to claims 1, 3, and 4 above, and further in view of Mori (US 2001/0024568 A1).

**Consider claims 5 and 19**, Heo and Okura teach all the limitations in claims 1, 3, and 4 but fail to teach the method, wherein the audio-only optical disc is a CD or an optical disc recorded with MP3 audio data.

Mori teaches the method, wherein the audio-only optical disc is a CD or an optical disc recorded with MP3 audio data ([0007]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a CD recorded with MP3 audio data since MP3 compression scheme is more efficient.

4. Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heo (US 6,222,983 B1) in view of Okura (5,926,602) as applied to claims 1 above, and further in view of Furuhashi et al. (4,688,081).

**Consider claims 7 and 21**, Heo and Okura teach all the limitations in claim 1 but fail to teach the method, wherein the dummy video sync signal has a same frequency as a sync signal frequency of a general video signal.

Furuhashi et al. teach the method, wherein the dummy video sync signal has a same frequency as a sync signal frequency of a general video signal (col. 11 and lines 34-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate a sync signal that has the same frequency as those of the sync signal to keep the frequency stable.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tat Chi Chio whose telephone number is (571) 272-9563. The examiner can normally be reached on Monday - Thursday 8:30 AM-6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

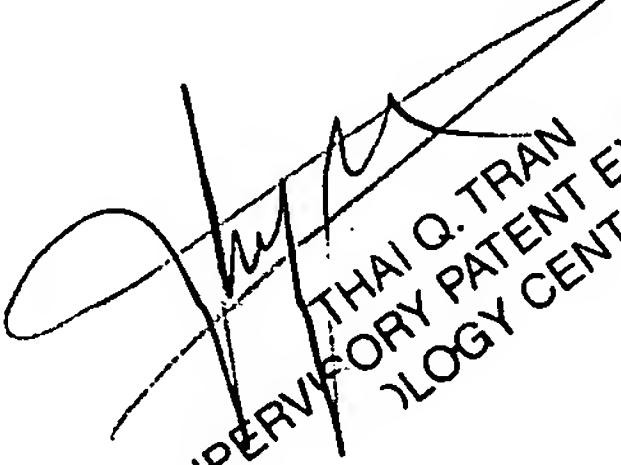


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